

ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

STF
Clerk

ORDER

-vs-

CR-03-1120(S-3)-2(FB)

Virgil Rivers,

Defendants.

On February 28, 2006 in open court, on the record with all counsel present the Court heard oral argument prior to sentencing, as to defendant's motion pursuant to Rule 29 to dismiss count 5(S-3) in which the defendant had been convicted by a jury. After argument the Court granted defendant's motion for reasons stated on the record. Accordingly it is

HEREBY ORDERED that the count 5(S-3) is dismissed.

SO ORDERED.

FB

UNITED STATES DISTRICT JUDGE

DATED: Brooklyn, N.Y.
March 1, 2006